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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Applicant: JORGENSEN, MATTHEW Examiner: Choi, S.
Serial No.: 09/253,110 Group Art Unit: 3724
Filing Date: 02/19/99 For: SAWDUST COLLECTION HOOD
FOR TABLE SAW

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

In response to the office action under mailing December 16, 1999, the applicant responds as follows:

RESPONSE

The examiner has identified three species:

- Species A -- The embodiment shown on Figure 1;
- Species B -- The embodiment shown on Figure 7;
- Species C -- The embodiment shown on Figure 9.

The applicant hereby identifies the following claims of the application that read on each of said species:

<u>Species</u>	<u>Claims</u>
A	1 - 9
B	10 - 12
C	13 - 23

The examiner stated that currently no claims are generic. Although that appears to be correct, it is possible to write an allowable generic claim that is fully supported by the application as filed and that is generic to all three species -- namely, the following proposed amendment to claim 1:

- Sub B2
A
1. (once amended) A movable, protective, sawdust collection hood for use with a table saw, said table saw having a horizontal worktable with front and rear sides, a circular saw blade mounted below the worktable and having a peripheral portion thereof

extending above the worktable rotating toward the front side of the worktable, [and a splitter having a portion extending above the rear side of the worktable,] comprising:

(a) a pair of spaced-apart, vertical side panels, each side panel having a front, central and rear portion, the central and rear portions thereof having a common, straight, horizontal, lower edge, and the front portion thereof being disposed generally forwardly and downwardly from a forward terminus of said lower edge;

(b) a forwardly inclined nose panel mounted between lower edges of the front portions of the side panels, and having a horizontal leading and trailing edges;

(c) an upper cowl mounted between the side panels, said upper cowl having a substantially vertical, front portion terminating at a forward edge that engages an upper surface of the nose panel, and having a rearwardly-extending, upwardly inclined portion terminating at a rear edge;

(d) a lower cowl mounted between the side panels below the upper cowl, and having a substantially vertical, front portion and rearwardly-extending, substantially horizontal, central and rear portions, said front portion terminating in a horizontal forward edge disposed above the trailing edge of the nose panel;

(e) a pair of vertical side skirts, each of said skirts being movable between a first, lowered position and a second, raised position;

(f) means attached to the side panels for suspending a side skirt from each of the side panels; and

(g) means attached to the ~~[side panels]~~ hood for moving the hood between a retracted position and a working position directly over and straddling the saw blade;

wherein the side panels, upper cowl, lower cowl, and side skirts are made of a rigid, transparent material, and whereby, when the hood is in a working position, movement of a work piece rearward against a lower surface of the nose panel first causes the hood to rise, and thereafter, with further rearward movement of the work

A

piece, causes the trailing edge of the nose panel and the side skirts to rest on and make sliding contact with an upper surface of the work piece until the work piece has cleared the nose panel, whereafter the hood drops down to a position such that the trailing edge of the nose panel rests upon the worktable while the side skirts continue to maintain sliding contact with the upper surface of the work piece until the entire work piece has cleared the side skirts, whereupon the side skirts also drop down to the worktable, and whereby further, air enters the hood through an intake port defined by the rear portions of the side panels and the rear portion of the lower cowl, thence streams forward over the work piece and saw blade and through an orifice defined by the forward edge of the lower cowl, the trailing edge of the nose panel and the front portions of the side panels, and thereafter is conducted rearwardly between an upper surface of the lower cowl and a lower surface of the upper cowl to exit the hood.

The reason for removing reference to the splitter in claim one, as amended, is that species C, unlike species A and B, does not require the presence of the splitter (it is optional in species C)¹; compare FIGS. 1 (species A) and 7 (species B) with FIG. 9 (species C). The hood is pivoted about the splitter (by pivot means attached to the hood) in species A and B, but not in species C.

To claim species A, a conforming amendment to claim 2 is proposed as follows:

Sub B3 2. (once amended) The hood of claim 1, wherein the saw includes a splitter having a portion that extends above the rear side of the worktable, and the pivot means for moving the hood between a retracted position and a working position directly over and straddling the saw blade is attached to the side panels of the hood and is mounted to the splitter, and further comprising:

¹ Although species C will operate without a splitter, it seems the Occupational Health and Safety Administration requires the presence of a splitter.

a2 (a) a rear discharge wall mounted between an upper surface of a central portion of the lower cowl and the rear edge of the upper cowl, said rear discharge wall having an air discharge hole; and
(b) means for attachment of a vacuum conduit, said means attached to a rear surface of said rear discharge wall and aligned with said air discharge hole.

For claiming species B, all one needs to do then is to make claim 10 depend on claims 2 (as amended), 3, 4, 5 or 6, but not from claim 1. Thus:

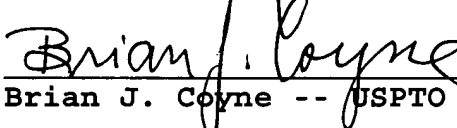
In claim 10, line 1, following "claim", delete -- 1 --.

As for claiming species C, it appears that no changes are required to claims 13-23.

Since it is possible, consistent with the disclosure of the application, to write an allowable claim generic to all three species, the applicant elects species A with traverse, and requests reconsideration of the restriction requirement.

Respectfully submitted by:

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CERTIFICATION OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, with sufficient postage as first class mail.

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BRIAN J. COYNE

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